

United States District Court  
District of New Hampshire

U.S. DISTRICT COURT  
DISTRICT OF NH  
2019 MAY 20 AM 11:12

FILED

Ms Christopher (Crystal) Beaulieu  
Plaintiff

v.

Civil Action No. \_\_\_\_\_  
(To be provided by Clerk's Office)

Helen Hanks et al  
Defendant(s)

**TO BE COMPLETED BY PLAINTIFF**  
(Check One Only)  
☐ DEMAND FOR JURY TRIAL  
☒ NO JURY TRIAL DEMAND

**COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C § 1983**

I. Parties

A. Please provide the following information for each plaintiff:

1. Name Beaulieu Christopher (Crystal)  
(Last) (First) (Initial)

2. Place of Detention New Hampshire state prison

3. Institutional Address NH sp# 83536 PO Box 114 Concord  
NH. 03302

4. Are you incarcerated pursuant to a pretrial detention order or are you a sentenced inmate?

☐ Pretrial Detention Order  
☒ Sentenced Inmate

5. Date pretrial detention order was issued or sentence imposed March 4, 2011

Michelle Edmark, warden of NHSP  
281 N. State St. Concord NH 03302

Dupris Security Lieutenant of NHSP  
281 N. State St. Concord NH 03302

Bazile, Correctional officer CCU  
281 N. State Street Concord NH 03302

Joshua Ellis, Correctional cpl  
281 N. State St. Concord NH 03302

Daniel Boynton - Captain of SHU/CCU  
281 N. State St. Concord NH 03302

Troy Fontaine, former Lieutenant of closed custody unit CCU  
281 N. State St. Concord NH 03302

Benjamin Carver; security Lieutenant of SPU/RTU  
281 N. State St. Concord NH 03302

Seabron; correctional officials of SPU/RTU  
281 N. State Street Concord NH 03302

Scott Marshall; Captain of RTU/SPU  
281 N. State Street Concord NH 03302

Christopher Berntsen, Correctional cpl of RTU/SPU  
281 N. State St. Concord NH 03302

B. Please provide the full name, current title and address known for each defendant:

1. Name Hanks Helen e  
(Last) (First) (Initial)

2. Title Commissioner

3. Address 105 Pleasant St.  
Concord N.H. 03302

(If the complaint is being made against more than one defendant, please attach additional sheets listing the above information and allegations as follows.)

II. Statement of Claim

For each claim, please include the following information on attached sheets:

1. State which of your federal constitutional or federal statutory rights have been violated.
2. State which defendant(s) have violated that particular right for each allegation.
3. State, with specificity, the facts and circumstances that gave rise to the violations or deprivations alleged.
4. State the harm or damage that resulted from the alleged violation or deprivation.

Allegation 1: Failure to protect - 8<sup>th</sup> amendment violation

Supporting Facts: on September 20, 2018 - I was living in the Residential Treatment unit and a unit within the care and control of the Division of medical and forensic services.

on said date, I was in the south J-dayroom when inmate Kevin Smith confronted me in a hostile manner. Inmate Smith continued to demand me to stop

my legal work and listen. I gathered up my legal work, and when I got it together I went to

my Room J-11 I slammed my cell door which bounced

open inmate Smith ripped it open and continued to be violently

Hostile towards me is why I went back out towards the dayroom



Allegation 2: Failure to Protect - 8th Amendment

Supporting Facts:

on December 5, 2018 At approx'y 7:15 Pm during  
Red meds Co Bazile was working the control room  
of closed Custody unit (CCU). During Red meds Co  
Bazile was talking on the phone as he does  
everytime he is in the control room

Co Bazile's actions of being On the Phone (continued)

Allegation 3: Negligence - violation of State tort laws

Supporting Facts:

on November 9, 2018 Cpl Joshua Ellis, The officer  
in charge of the closed Custody unit (CCU) on said date. I  
first asked to live with Bradley D. Winbush #73085, Cpl  
Ellis down right denied that. I then said the other person  
in CCU that I knew James L. Merchant #77822, Cpl Ellis  
said "I was going to put you in there anyway I made up (cont.)  
(If more space is needed to explain any allegation or to list additional facts, attach additional pages)

### III. Relief

You must request specific relief in your Complaint. State briefly exactly what you want the court to do for you (attach additional pages if necessary):

- A) Declare that the acts and  
omission described herein violated Plaintiff's rights under  
the constitution and laws of the United States;  
B) Order Defendants to pay compensatory and punitive damages;  
C) grant other just and equitable relief that this  
Honorable Court deems necessary.

Date: 5.16.19

[Signature]  
Signature of Plaintiff

County of \_\_\_\_\_

Continued From allegation 1: Failure to protect

Inmate Smith followed.

Inmate Smith stated "You can p/c or by Tommorrow morning I am going to Smash your head in"

I responded "I am not p/cing"

he Countered the response by saying "F--- it"

Mr. Smith, started to chase me around the dayroom when he got me cornered and Hit me on the right side of my face. I reacted in self-defense.

The defendants (1) FNUH Seabron (2) Cpl Christopher Bernstein (3) Lt Benjamin Carver all employed in S.P.U/ RTU a Component of the Division of Medical and Forensic Service within the Dox willingly and knowingly acted with failure to protect by:

1) Sleeping on the Job.

2) Knowing that RTU has a history of violence disregarded the Safety Issues by Sleeping on the Job.

3) Failed to protect me because of Sleeping of his Sleeping which resulted in me getting three Stitches in my head.

Prior to me even going to R to a number of Safety Measures were put into place. As I am a Female in a male prison because I am a Transgender These measures came out to be False and Misleading

I filed a complaint a number of times to

Continued from Allegation 1: Failure to protect

Sgt Benjamin Carver, I got no responses back but one which he stated he never got.

(Note: Sgt Carver is now Lt.)

Capt Marshall; Did not answer any of the points I raised re on the request only wrote his Supervisor's Name.

Dir Mattis-Denied my Appeal.

Commissioner Denied my Appeal.

As a result of this I ended up with Three Stitches above my eye My eye sight deteriorating Massive headaches and all the individuals could do was deny my relief

## Allegation: 2: Failure to Protect (Continued)

Caused him to be distracted and not know who was coming out for red meds

Co Bazile, let out C-Teir which only had one cell to pop out. C-52 was a red med but only one which was inmate Bennett.

When I came out I took a left towards C-Teir to drop a request slip in the mail box the whole time Co Bazile was on the phone.

When I went down to wait for everyone else to gather to go for red meds I was waiting by the elevator my former cellmate Brown member James Merchant #77822 said "remember me" and punched me in the face.

Upon information and belief inmate Merchant kicked in the face approx'ly four times which came from witnesses.

I do not recall the incident well. I do recall it took approx'ly five minutes for Cpl Eismann, Co O'Leary, Sgt/Lt Dupuis to come out of the Sgts Office in CW to stop this.

B-Teir worker and Betonda worker could hear me scream from CW front door. Yet it took five minutes to the Co's to respond from an office across from where I was being assaulted. If B-Teir could hear me no doubt they could hear me in the office.



Continued allegation of failure to protect - ~~My~~ Eighth Amend.

CCU (Closed Custody unit) staff knew that I was coming to CCU and they intentionally placed me with a gang member. CCU staff knew I was a Transgender, sex offender and knew that I was labeled a snitch. These staff responded slowly knowing I was being assaulted.

This incident would not have happened if

1) Co Bazile was not on the phone

3) Co Bazile was monitoring and doing his job when popping out inmates for redmeds

even when housing me ~~with~~ with inmate Merchant staff knew

1) That inmate merchant has a violent history

2) That Boww has a violent history to including a murder in 2009

3) That inmate merchant was listed as a stg (Security threat group)

1) That I sought protective custody from "Boww" yet they still placed me in his cell

on 12/1/2018 I wrote Lt Dupris which was never answered.

on 2/1/2019 I wrote an appeal to Lt T. Fontaine who answered by hearsay evidence that

on 3/1/2019 I appealed it to Capt. Boynton

on 4/1/2019 I appealed it to Warden ~~Temper~~ Edmark

on 4/1/2019 I appealed it to Commissioner Hanks

All appeals were denied.

I have ended up with a permanent indent in my nose and massive headaches and flash backs from ~~my~~ the trauma that is affecting my PTSD

### Allegation 3 (Cont.) Negligence violations of State tort laws

my mind already.

Cpl J. Ellis Neglected his duties when he placed me in a cell with a known violent gang member knowing I was a transgender.

Cpl Ellis, Lacked care and attention by placing me in this cell. Even though I said I could Cpl Ellis, as a Correctional Officer he could have determined other housing within COW.

After writing a statement and moving my property into C-Teir 52 I am called out to Cpl Ellis in which he said

"The Captains office called and you need to write you can live with inmate merchant or go into protective custody"

This was said because I sought Protective Custody in the past from Brother Hood Of White warrior (Boww) who is known about violent behaviors to include a murder in prison.

Cpl Ellis gave me no other Housing options and only gave me Protective Custody or living with Boww member. Knowing I sought to live with inmate winbush it is known that Cpl Ellis was hoping I would Plc when I came in instead because I did not he put me in with a Bow w member knowing (1) I'm a sex offender

### Allegation 3 (Cont) Negligence violation of State tort law

2) Labeled as a snitch (3) I'm a transgender woman

Cpl Ellis, violated his duties under the Constitution to protect me by Neglecting his duties by placing me in a cell with a member of a gang known by all prison officials to be violent

Lt Fontaine - Denied my request because I requested to live with Ilm Merchant

Capt Boynton Denied my grievance  
Warden did the same concerning with the Capt & Lt  
Commissioner concerning with the warden.